

IN THE SUPREME COURT  
OF THE  
STATE OF SOUTH DAKOTA

\* \* \* \*

IN THE MATTER OF THE ADOPTION )  
OF A NEW RULE TO BE DESIGNATED )  
AT SDCL 16-17-4.1 ) **RULE 07-04**

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A hearing was held on August 29, 2007, at Pierre, South Dakota, relating to the adoption of a new rule to be designated at SDCL 16-17-4.1, and the Court having considered the proposed adoption of a new rule, the correspondence and oral presentations relating thereto and being fully advised in the premises, now, therefore, it is

ORDERED that SDCL 16-17-4.1 be and it is hereby adopted to read in its entirety as follows:

**SDCL 16-17-4.1. Senior Emeritus Status**

Notwithstanding any provision to the contrary, there is hereby created Emeritus Status for members of the State Bar.

Eligibility: A member of the State Bar who is or has maintained active status in the State Bar and is retired or is retiring from the Judiciary or the active practice of law.

Privileges: A lawyer taking Emeritus status shall have all the rights and privileges of an active member of the State Bar except that the lawyer may not practice law except as hereinafter provided: Emeritus status lawyers may represent, on a pro bono basis, only such clients as are referred to the lawyer by East River Legal Services, Dakota Plains Legal Services, Access to Justice, or such other pro bono program recognized and approved by the State Bar.\*

Dues: Annual dues for Emeritus status are such dues as are approved by the Supreme Court from time to time for inactive status.

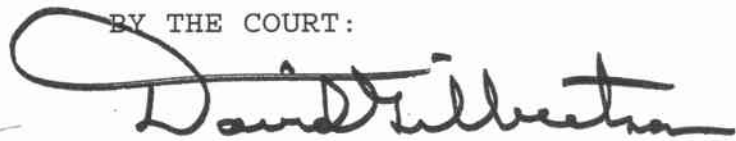
Registration: Lawyers taking Emeritus status shall file an Emeritus registration form prepared by the Secretary-Treasurer of the State Bar, who shall thereafter advise the Legal Services programs, Access to Justice and other approved pro bono referral programs of the availability of the Emeritus lawyer to take pro bono referrals.

\*Comment: Emeritus status is intended only to allow a retired judge or lawyer to contribute to society and the profession by taking pro bono referrals from an approved Legal Services program. Representation of friends, neighbors and relatives, even if no fee is charged, is not permitted.

IT IS FURTHER ORDERED that this rule shall become effective January 1, 2008.


DATED at Pierre, South Dakota, this 4th day of September, 2007.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:

  
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Clerk of the Supreme Court  
(SEAL)

SUPREME COURT  
STATE OF SOUTH DAKOTA  
FILED

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Clerk